

DCI/IC 78-3758

MEMORANDUM FOR: Director of Central Intelligence

STAT FROM:

[REDACTED]
Deputy to the DCI for Resource Management

SUBJECT: Draft Defense Implementing Memorandum

1. Action Requested. Discussion with Secretary of Defense Brown and Deputy Secretary Duncan.

2. Background.

a. I have reviewed the draft memorandum Charles Duncan gave to you (attached). An internal Defense implementation of E.O. 12036 is necessary and appropriate. However, there are two principles we should insist be applied to the procedures set forth by Defense.

- OSD should not interject itself into the channel of communication between the DCI and Program Managers.

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b. Review of the draft Defense implementation reveals these principles are violated in a number of significant places. They are discussed below.

(1) Paragraph 1. Policy Review Committee (PRC)

- o It is not entirely clear whether the third sentence (which lists Admiral Murphy's responsibilities regarding formulation and validation of "DoD requirements" and establishing "DoD priorities") refers to what are intended as DoD submissions to the PRC or to departmental requirements and priorities separate from--and competing with--those approved by the PRC.
- o If the DoD requirements and priorities are meant to be submissions to the PRC, this presupposes a DoD belief the PRC will act by consolidating separate inputs from the departments.

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(5) Paragraph 7. Program Guidance

- o Establishes two sets of guidance which can only lead to confusion and the impression of dual masters.
- o Facilitates establishment of CDIP.
- o Particularly obnoxious is the requirement for DUS (Policy) and ASD(C³I) review and approval "prior to its implementation."

(6) Paragraph 9. Special Procedures

- o It is clear DoD intends to stand fast on its unwillingness to participate with non-DoD elements of the Intelligence Community in the development of joint procedures by means of a task group established with an Assistant Attorney General as chairman. The DoD General Counsel announced at the meeting of this task group on 1 February that she intended to develop DoD procedures "on her own" and would submit them independently to the Attorney General for approval.

(7) Paragraph 12. Congressional Committees

- o Interjects DUS (Policy) and ASD(C³I) between DCI and Program Managers on Congressional matters.
- o Even requires written testimony be provided to OSD "48 hours before submittal to Congress and 24 hours before submittal to the DCI."
- o Supports CDIP concept.
- o The penultimate sentence indicates DoD intends to hold open an option on reporting to the Congress on recommendations concerning pending or proposed legislation. Recommendations

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on "Defense Department or Administration positions" will be submitted to the Deputy Under Secretary of Defense (Policy) prior to submission "to either the Congress or the DCI."

3. Recommendation. Recommend you express objection to these aspects of the draft memorandum and establish agreement with Secretary Brown on the two principles. With this agreement, I will work with Dan Murphy to clean up the language in an appropriate manner.

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Attachment
Draft of Implementation of E.O.

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